

**PUBLIC PROTECTION CABINET
Kentucky Claims Commission
(As Amended at ARRS, April 12, 2018)**

802 KAR 3:020. Payment schedule for sexual assault examinations.

RELATES TO: KRS 49.020, 49.490, 216B.015, 216B.400, 403.707

STATUTORY AUTHORITY: KRS 49.020, 49.300(1), **49.490**, 216B.400(8)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 49.020(5) **authorizes[requires]** the commission to promulgate administrative regulations to carry out the provisions and purposes of the commission. KRS **49.490 and** 216B.400(8) **require[requires]** the commission to **administer the sexual assault victim assistance fund and** pay the cost of a sexual assault examination. This administrative regulation establishes the reimbursement schedule for performing a sexual assault forensic medical examination.

Section 1. Sexual Assault Examination Program. (1) Reimbursement for performing a sexual assault forensic-medical examination pursuant to 502 KAR 12:010 shall be for the actual amount billed and shall not exceed:

(a) \$200 for a physician, sexual assault nurse examiner, or other qualified medical professional performing the examination;

(b) \$250 for an examination facility for use of an emergency or examination room;

(c) \$100 for an examination facility or laboratory that performed diagnostic laboratory testing; and

(d) \$100 for an examination facility where administered medications and pharmaceuticals were prescribed as a result of the examination and as part of basic treatment.

(2) Reimbursement for additional services related to a sexual assault forensic-medical examination requiring HIV post-exposure prophylaxis shall be for the actual amount billed and shall not exceed the following limitations:

(a) \$150 for three (3) follow-up examinations, not to exceed a total of fifty (50) dollars per examination;

(b) Laboratory testing:

1. \$150 for initial testing conducted during the sexual assault examination in the examination facility; and

2. \$215 for follow-up testing conducted during the three (3) follow-up examinations, not to exceed:

a. Fifty (50) dollars for testing conducted during day five (5) to day seven (7) of prophylactic treatment;

b. Ninety (90) dollars for testing conducted after day twelve (12) of prophylactic treatment; and

c. Seventy-five (75) dollars for testing conducted near or at the end of prophylactic treatment; and

(c) Medications:

1. \$800 for a twenty-eight (28) day supply of HIV prophylaxis medication, not to exceed:

a. \$200 for the first seven (7) day supply; and

b. \$600 for the remaining twenty-one (21) day supply; and

2. Thirty (30) dollars for a twenty-eight (28) day supply of anti-nausea medication.

MARCUS CAREY, Chair

DAVID A. DICKERSON, Secretary

APPROVED BY AGENCY: February 14, 2018

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